

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

THE CITY OF MEMPHIS and CHIEF)
CERELYN J. DAVIS,)
)

Movants.

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) CASE NO. 2:23-cr-20191-SHL
)
EMMITT MARTIN, III, et al.,)
)
Defendants.)

**AMENDED CERTIFICATE OF CONSULTATION
FOR THE CITY OF MEMPHIS'S AND CHIEF C.J. DAVIS'S MOTION TO
INTERVENE AND PERMIT ACCESS TO SEALED DOCUMENTS (ECF No. 890)**

I, Bruce McMullen, certify that on June 25, 2025, co-counsel Jennie Silk consulted via email with counsel for the Government, Justin Smith, Tadarrius Bean, and Demetrius Haley regarding the relief sought in the City of Memphis's and Chief C.J. Davis's Motion to Intervene and Permit Access to Sealed Documents (ECF No. 890). Counsel for the City Movants inadvertently excluded counsel for Emmitt Martin and Desmond Mills from the consultation correspondence. Shortly after filing the City Movants' Motion to Intervene, this error was brought to counsel's attention. Counsel for the City Movants promptly provided counsel for Defendants Martin and Mills with a copy of the Motion to Intervene and Memorandum of Law in Support.

The updated positions of the parties as to the Motion to Intervene (ECF No. 890) are as

follows:

- David Pritchard, on behalf of the Government, responded on June 25, 2025, that the Government takes no position on this Motion and would submit the request to the Court's discretion.
- Martin Zummach, on behalf of Justin Smith, responded on June 25, 2025, that he consents to the intervention.
- Michael Stengel and Steven Leffler, on behalf of Demetrius Haley, responded on June 26, 2025, that Defendant Haley has no objection the intervention, including any future filings related to the recusal issue.
- John Keith Perry, on behalf of Tadarrius Bean, responded on June 26, 2025, that he consents to the intervention.
- Bill Massey, on behalf of Emmitt Martin, responded on June 26, 2025, that Defendant Martin has no objection to the intervention.
- Blake Ballin, on behalf of Desmond Mills, responded on June 25, 2025, that Defendant Mills takes no position on this matter and would submit it to the Court's discretion.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

/s/ Bruce McMullen

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*Attorneys for Movants, the City of Memphis
and Chief Cerelyn Davis*

CERTIFICATE OF SERVICE

I, Bruce McMullen, hereby certify that on June 27, 2025, I served a copy of the foregoing upon all counsel of record in this action via email.

s/ Bruce McMullen

Bruce McMullen